

## REMARKS

Claims 1-28 are pending in the Application. Claim 10 has been amended. Claim 28 has been added. No new matter has been added. Entry of the amendment is respectfully requested. Reconsideration is respectfully requested.

Claim 10 has been rewritten into independent form. The Action indicated that claim 10 would be allowable if rewritten in independent form. Thus, Applicant respectfully submits that claims 10-22 are now allowable.

Claim 28 corresponds to the statement of reasons for the indication of allowable subject matter. Thus, Applicant respectfully submits that claim 28 is also allowable.

## 35 U.S.C. § 103(a) Rejections

The 35 U.S.C. § 103(a) rejections are respectfully traversed. Each of the 35 U.S.C. § 103(a) rejections rely on Kurowski (US 5,895,457) as teaching or suggesting a controller that can cause generation of a charge record including "data representative of the source of monetary value, the charge, and the amount" (e.g., claim 1). Applicant respectfully disagrees with the Action's interpretation and application of Kurowski.

Kurowski does not teach or suggest that a machine readable article corresponds to a "source of monetary value", that a merchandise dispense is associated with a "charge", and that a cash value dispense is associated with an "amount."

Kurowski enables a customer to receive change when cash is used. Kurowski does not teach or suggest that change is dispensed when credit (i.e., credit card) is used as a source of monetary value. That is, if a credit (charge) card is used then no code (or dispensed amount) would be in a charge record.

Further, if cash is used in Kurowski as a source of monetary value then there is no "charge", but rather a prepayment. That is, if cash is used then there is no "charge record." Nor would there be any "charge" in a charge record. Nor would there be any "source of monetary value" in a charge record.

The secondary references cannot alleviate the deficiencies of Kurowski. Neither Kurowski nor the secondary references, taken alone or in combination, disclose or suggest the features and relationships that are specifically recited in the claims. The Office has not established a *prima facie* showing of obviousness.

#### **Fees For Additional Claims**

Please charge the fees associated with the submission of one claim in excess of twenty claims (\$18) and any other fee due to Deposit Account 09-0428.

## **Versions With Markings To Show Changes Made**

### **In the Claims**

10. (once amended) [The apparatus according to claim 3] Apparatus comprising:

a self-service merchandise dispensing machine selectively operative to dispense merchandise;

a user interface associated with the dispensing machine, wherein the interface includes an article reading device, wherein the article reading device is operative to read a machine readable article associated with a user, wherein the machine readable article corresponds to a source of monetary value, and wherein the interface includes an input device operative to receive at least one input from a user;

a cash value dispensing mechanism associated with the dispensing machine, wherein the cash value dispensing mechanism includes a roll of notes[,] ;

a controller operatively connected to the dispensing machine, the user interface and the cash value dispensing mechanism;

wherein the controller is operative to cause a merchandise dispense from  
the merchandise dispensing machine having an associated charge and to  
cause a cash value dispense of an amount from the cash value dispensing  
mechanism, responsive to at least one input to the input device, and  
wherein the controller is operative responsive to reading the machine  
readable article with the article reading device to cause generation of a  
charge record, wherein the charge record includes data representative of  
the source of monetary value, the charge, and the amount;

wherein the cash value dispensing mechanism is selectively operative to dispense [the] at least one note from the roll during the cash value dispense.

Conclusion

Each of Applicant's pending claims specifically recite features and relationships that are neither disclosed nor suggested in any of the applied prior art. Furthermore, the applied prior art is devoid of any such teaching, suggestion, or motivation for combining features of the applied art so as to produce Applicant's invention. Allowance of all of Applicant's pending claims is therefore respectfully requested.

The undersigned will be happy to discuss any aspect of the Application by telephone at the Examiner's convenience.

Respectfully submitted,



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